

REMARKS

Claims 1-19 are pending in the subject application. By amendment above, Claims 1-17 have been canceled.

New Claims 20-25 have been added and depend from method Claim 18. New Claims 26-31 have been added and depend from method Claim 19. New Claims 32-39 have been added and are directed to a method of producing oil treated cellulose fibers.

Independent Claim 18 has been amended to recite that superabsorbent material is combined with the oil treated cellulose fibers. In a similar manner, independent Claim 19 has been amended to recite that cellulose fibers are combined with oil treated superabsorbent material.

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0170589 A1 to Gatto. For the following reasons, applicants respectfully traverse this rejection.

In view of the cancellation of Claims 1-17, the outstanding rejection of Claims 1-17 over Gatto is moot.

Independent Claim 18 recites a method for retaining superabsorbent material within a web of cellulose fibers. As noted above, independent Claim 18 has been amended to recite a step of "combining a superabsorbent material with the oil treated cellulose fibers." Gatto does not disclose a method for retaining superabsorbent material within a web of cellulose fibers that employs oil treated cellulose fibers or the step of combining a superabsorbent material with oil treated cellulose fibers. Accordingly, the subject matter of independent Claim 18 is novel over Gatto.

Independent Claim 19 recites a method for retaining superabsorbent material within a web of cellulose fibers. As noted above, independent Claim 19 has been amended to recite the

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step of "combining cellulose fibers with an oil treated superabsorbent material." Again, Gatto does not teach a method for retaining superabsorbent material within a web of cellulose fibers that provides oil treated superabsorbent materials and combines cellulose fibers with the oil treated superabsorbent material. Accordingly, the subject matter of independent Claim 19 is novel over Gatto.

New Claims 20-31 which ultimately depend from independent Claims 18 and 19 discussed above are novel and patentable over Gatto for the same reasons as independent Claims 18 and 19.

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent publication 2004/0167479 A1 to Warren et al. For the following reasons, applicants respectfully traverse this rejection.

By amendment above, Claims 1-17 have been canceled. Accordingly, the outstanding rejection of Claims 1-17 over Warren et al. is moot.

Independent Claim 18 recites a method for retaining superabsorbent material within a web of cellulose fibers. As noted above, independent Claim 18 as amended recites a step of "combining a superabsorbent material with the oil treated cellulose fibers." Like Gatto, Warren et al. does not teach a method for retaining superabsorbent material within a web of cellulose fibers that includes combining a superabsorbent material with oil treated cellulose fibers. Accordingly, the subject matter of independent Claim 18 as amended above is novel over Warren et al.

Independent Claim 19 recites a method for retaining superabsorbent material within a web of cellulose fibers. As noted above, independent Claim 19 has been amended to recite the step of "combining cellulose fibers with an oil treated superabsorbent material." Like Gatto, Warren et al. does not disclose a method for retaining superabsorbent material within a web of

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cellulose fibers that includes the step of combining cellulose fibers with an oil treated superabsorbent material. Accordingly, the subject matter of independent Claim 19 as amended above is novel over Warren et al.

New dependent Claims 20-31 which ultimately depend from independent Claims 18 and 19 are novel and patentable over Warren et al. for the same reasons that independent Claims 18 and 19 are novel and patentable over Warren et al.

New independent Claim 32 recites a method for producing oil treated cellulose fibers that includes the steps of providing a wet laid sheet of cellulose fibers, applying an oil to the wet laid sheet of cellulose fibers to produce an oil treated wet laid sheet of cellulose fibers, and fiberizing the oil treated wet laid sheet of cellulose fibers.

Applicants note that Claims 1-14 have been provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-10 and 11 of copending Application No. 10/741,231. In view of the cancellation of Claims 1-14, the outstanding provisional obviousness type double patenting rejection is moot.


For the foregoing reasons, the subject matter of independent Claims 18 and 19, and the claims dependent therefrom is novel and patentable over Gatto and Warren et al. Accordingly, applicants respectfully request withdrawal of the outstanding rejections of Claims 18 and 19 and favorable action on new Claims 20-38.

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If the reviewing party has any questions therefrom, she is invited to call applicant's attorney at the number listed below so that any outstanding issues can be resolved at a timely and efficient manner.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

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